

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND ALFORD BRADFORD,

Plaintiff,

v.

K. BREWER, et al.,

Defendants.

No. 21-cv-1413 KJM KJN P

FINDINGS AND RECOMMENDATIONS

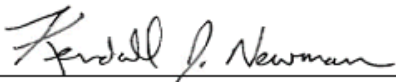
By an order filed January 20, 2023, plaintiff was ordered to pay, within fourteen days, the appropriate filing fee, and was cautioned that failure to do so would result in a recommendation that this action be dismissed. That time period has expired, and plaintiff has not paid the court's filing fee. Instead, on February 6, 2023, plaintiff filed objections to the January 20, 2023 order. However, as explained in the October 6, 2022 findings and recommendations, in order to proceed in this action without paying the court's filing fee in full, plaintiff must "set forth facts demonstrating he faced an imminent danger of serious physical injury that is fairly traceable to his underlying allegations which challenge the [2021] rules violation report." (ECF No. 19 at 3.) Plaintiff's objections fail to do so. In addition, plaintiff previously sought reconsideration by the district court which was denied. (ECF No. 22.) Therefore, plaintiff's objections are overruled, and the undersigned recommends that this action be dismissed.

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1 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without
2 prejudice.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
5 after being served with these findings and recommendations, any party may file written
6 objections with the court and serve a copy on all parties. Such a document should be captioned
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
8 objections shall be filed and served within fourteen days after service of the objections. The
9 parties are advised that failure to file objections within the specified time may waive the right to
10 appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 Dated: February 14, 2023

12 
13 KENDALL J. NEWMAN
14 UNITED STATES MAGISTRATE JUDGE

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